

Subject: Re: Comments

From: Jeff Ottesen <jeff_ottesen@dot.state.ak.us>

Date: Mon, 26 Jan 2004 17:21:16 -0900

To: Jeff Nelson <jeff.nelson@nana.com>

CC: "'stip@dot.state.ak.us'" <stip@dot.state.ak.us>

Jeff, I concur that Native Corporations and tribal organizations need consultation too. The federal requirement for local government consultation is silent or does not mention tribal related organizations. Nor is the consultation rule proposed the only or exclusive type of consultation we will undertake. It simply fulfills a federal mandate...we must document how we will consult with local government in order to meet the new federal law. It does not mean we will not consult other organizations.

As I write this, I am attending a national conference with other state DOTs on this very topic. We are collectively rather upset that the federal government wrote their consultation rule so narrowly, so as to exclude tribes, environmental groups, resource agencies, shippers and freight carriers, and a whole host of other interested parties. But they did, and we must respond accordingly. You can expect the final rule to make this clearer, and to ensure we are not overlooking others simply because the federal rule was so poorly crafted.

Jeff Nelson wrote:

My main comment is that Native village and Regional corporations need to also be notified and consulted on updates and amendments to State transportation plans. Since NANA has merged the former village corporations into the Regional Corporation, NANA serves the functions of the Village Corps. Nowhere in the draft consultation process are Native corporations mentioned and in most cases the corporations are the major landowners in non-metropolitan areas, therefore they need to have a major roll in the planning process.

Sincerely,

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